

REMARKS

Claims 2-15 are pending in the above application.

The Office Action dated May 3, 2006, has been received and carefully reviewed. In that Office Action, claims 2-15 were rejected under 35 U.S.C. 102(b) as being anticipated by Sato. Reconsideration and allowance of claims 2-15 is respectfully requested in view of the above amendment and following remarks.

Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by Sato. Claim 2, as amended, requires a remote controlled medical instrument that has a wire section and a remote control section. The remote control section includes, among other elements, a rod-shaped main body having a hollow inside and an operating member coupled to the main body so as to be slidable in a longitudinal direction of the main body. A pinching mechanism is built in the main body and coupled to the operating member for detachably pinching a rear end of the wire. The pinching mechanism includes a coupling member for coupling the operating member and the wire, a clip member, arranged on the coupling member for pinching the wire, and a sliding member sliding independently from the coupling member in the longitudinal direction of the main body. The clip member pinches the wire in conjunction with the sliding of the sliding member in a first direction, and releases the wire in conjunction with the sliding of the sliding member in a second direction opposite to the first direction, and the remote control section includes a spring biasing the sliding member in the first direction. Sato does not show or suggest at least the limitation of a spring biasing the sliding member in a first direction as required by amended claim 2. In view of the disclosed method of operation of Sato, neither Sato nor the other art of record in any manner suggests providing Sato with such a spring. Claim 2 as amended is submitted to be allowable over Sato for at least this reason.

Claim 3 depends from claim 2 and is submitted to be allowable for at least the same reasons as claim 2.

Claim 4 is also rejected under 35 U.S.C. 102(b) as being anticipated by Sato. It appears that Sato's main body 5 is being interpreted as corresponding to the main body recited in claim 4 and that Sato's slider 6 is being interpreted as corresponding to the operating member recited in claim 4. Claim 4, however, further requires a pinching mechanism slidably retained on the

operating member. The phrase “slidably retained” requires something that is retained in a manner that allows for sliding. However, it is respectfully submitted that no element is slidably retained on Sato’s slider 6. Even if slider 6 is somehow being interpreted as corresponding to the claimed pinching member, it is noted that slider 6 is not slidably retained on pressing plate 11. That is, when pressing plate 11 can move relative to slider 6 during assembly, it is not retained thereon, and when slider 6 is retained on pressing plate 11 (or vice versa) slider 6 and pressing plate 11 are fixed relative to one another. Sato does not show at least a pinching mechanism slidably retained on an operating member as required by claim 4, and claim 4 is submitted to be allowable over Sato for at least this reason.

Claims 5-10 depend from claim 4 and are submitted to be allowable for at least the same reasons as claim 4.

Claim 11 is rejected under 35 U.S.C. 102(b) as being anticipated by Sato. Claim 11 requires a remote controlled medical instrument that includes a remote control section for controlling a functional member. The remote control section comprises a main body having a hollow inside and an operating member longitudinally slidably coupled to the main body. It appears that the Office Action may be interpreting main body 5 of Sato as corresponding to the main body required by claim 11 and Sato’s slider 6 as corresponding to the claimed operating member. If this is incorrect, it is respectfully requested that additional details of how claim 11 is being interpreted be provided in a further Office Action.

Claim 11 further requires that the operating member comprise an operating member body having an end and first and second clips. It appears that pressing plate 11 is being interpreted as comprising clip members. However, pressing plate 11 does not include first and second clip members connected to an operating member body and a sliding member retained on the operating member body and slidably shiftable between first and second positions. Sato’s pressing plate 11 is only connected to slider 6 in the configuration of Figure 5, and in this configuration, no sliding member retained on an operating body is shown. Slider 6 and pressing plate 11 may move relative to one another during assembly, but before the configuration of Sato’s Figure 5 is reached, pressing plate 11 is not retained on slider 6. Once it becomes “retained,” no sliding as required by claim 11 can occur. For at least this reason, it is

respectfully submitted that claim 11 is allowable over Sato.

Claims 12-15 depend from claim 11 and are submitted to be allowable for at least the same reasons as claim 11.

CONCLUSION

Each issue raised in the Office Action dated May 3, 2006, has been addressed, and it is believed that claims 2-15 are in condition for allowance. Wherefore, reconsideration and allowance of these claims is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: October 2, 2006

Respectfully submitted,

By 

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